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SUBJECT: FRAUD SUMMARY - UGANDA

(A) COUNTRY CONDITIONS

1. (U) Uganda is a country in political and economic transition. It is estimated that 31% of its 30 million people live below the poverty line, and in northern Uganda, over 70% of the population lives below the poverty line. A high unemployment rate and the lack of a living wage for many Ugandans fuel a desire to seek better opportunities in the United States and elsewhere. Corruption is endemic, and document and other types of fraud are common but generally unsophisticated. The vast majority of Post's nonimmigrant visa (NIV) applicants are Ugandan, and the most common type of fraud encountered is the use of counterfeit, altered or fraudulently obtained documents. Post's current assessment of the level of fraud encountered locally is high, but generally unsophisticated, with the exception of Ugandans and non-Ugandans obtaining genuine passports in false identities.

2. (U) Uganda also serves as a transit point for migrants from other countries. Thousands of Indian nationals reside in Uganda, active in business and other sectors. Some Indian nationals have lived in Uganda for decades and are well-established professionals. Others are recent immigrants who entered Uganda as tourists, obtained temporary work permits, and now seek to emigrate to Europe or the United States. Past and ongoing conflicts and/or economic instability in neighboring countries such as the Democratic Republic of the Congo, Rwanda, Sudan, Somalia, Ethiopia and Eritrea provide a steady pool of other third-country nationals seeking to emigrate to the United States. Most encounters with these nationalities are limited to following-to-join asylee (Visas 92) and refugee (Visas 93) beneficiaries.

(B) NIV FRAUD

Tourist/Business Visas

3. (U) In processing tourist and business visa applications, Post finds that the visa interview is the most effective means to adjudicate these cases. Many Ugandan business and tourist travelers have well-documented travel histories to Europe and/or the United States. Ugandans are limited to two year B1/B2 visas by U.S. reciprocity, and similar visa validity to the United Kingdom and other European countries. This requires that they apply for visas every few years. Applicants who present new passports or passports that demonstrate limited regional travel are interviewed in greater detail. Suspect letters of invitation and support, counterfeit bank statements, and inflated claims of income are common.

4. (U) During the reporting period, several B1/B2 applicants were refused for fraud and misrepresentation after investigations found they had presented counterfeit employment letters and other documents. In many cases, Post does not verify documentation as information obtained during the visa interview clearly indicates the applicant does not overcome 214(b) regardless of the validity of supporting documents. On occasion, Post has had success checking

previous visa records to ascertain if the claimed signatory on a letter of support or employment has also applied for a U.S. visa in the past. Post reviews the signatory's previous visa application to ascertain if the signature on a letter of support or employment appears genuine. Such checks also provide independently verifiable phone numbers for claimed employers, and phone calls sometimes reveal that the letters of support or employment are forged.

¶15. (U) Similarly, Post also has good success identifying the individual in the United States whom the applicant seeks to visit. A common trend is that the applicant is an extended family member of someone residing in the U.S., and checks of previous visa records regularly indicate that the inviting individual entered the U.S. in recent years on a B1/B2 visa and remained. Such information is very useful when reviewing the current applicant's own ties to Uganda and whether or not they are also an intending immigrant.

¶16. (U) Post's most recent B1/B2 visa validation study found an overstay rate of 4.5 percent, with a 2.5 percent margin of error. Post assumes from the receipt of I-730 following-to-join asylee petitions that many of these overstays obtained asylum in the United States.

¶17. (U) In one recent fraud case adjudicated at Post, biometrics assisted in discovering an applicant using a second identity to obtain an NIV. He had a strong history of travel to the U.S. and was using a diplomatic passport, so his visa was submitted for checks and eventual issuance. When the Facial Recognition (FR) check came back, it was clear that he had traveled to the U.S. under an alias. He was called back into the embassy and questioned, and admitted using two different identities to travel to the U.S.

¶18. (U) Post just witnessed another similar case where a young lady had applied for visas under three different names, but the adjudicating officer was not aware of this until the FR came back showing the prior cases (and refusals).

¶19. (U) Another similar case involved a young lady who claimed she had changed her name when still a minor to be able to retake a test in school. She used the name for the better part of the next 20 years and had an NIV refusal under the new alias. She then changed her name back to her original name and reapplied for a visa under her original name and the only way Post was able to discern that she had two aliases was through FR.

¶110. (U) Another vehicle many applicants tried to use over the busy summer months was that of the Uganda North American Association (UNAA) convention held in Chicago, IL in conjunction with the U.S. (Illinois) Uganda Trade and Investment Forum also held in Chicago, IL. FPP ran a text search on UNAA and of 30 cases since 2003, 17 returned from their travel, 2 claimed asylum and 11 overstayed or became LPRs. The results of this search indicated an approximately 37% overstay rate. Applicants registered online or in person at a satellite office located in Kampala for the convention. They received a letter from the organizers of the convention: Lt. Frank Musisi and Noah Bukenya. Many of those letters stated that UNAA would pay for their accommodation and/or travel. Obtaining this document fraudulently was not difficult for applicants. They often did not know the name of the convention nor how they wanted to participate in the convention. In this case, Post would not issue a visa. Many people also tried to obtain visas under the guise of entertainers or press. These people were scrutinized more heavily and were expected to have either the proper petition or credentials before Post would issue.

#### Student Visas

¶11. (U) In a previous reporting period, Post noted a number of student athletes had secured partial scholarships to U.S. colleges. Checks of academic transcripts presented by a number of these student athletes disclosed that the transcripts had been altered and a number of the applicants were refused for misrepresentation. During this reporting period, Post has noted a decrease in F1 visa applications by student athletes. The typical student applicant where fraud has been documented is from a poor-to-middle class background, presents a suspect bank statement and claims the sponsor is an uncle or other more distant relative. The presentation of counterfeit and altered academic transcripts is also common. In

order to combat student visa fraud, Post seeks to verify suspect academic transcripts with the Ugandan National Examinations Board (UNEb), secondary schools and Ugandan universities.

¶12. (U) In addition, Post often requests that financial sponsors attend the visa interview. Given circumstances in Uganda, it is common that one or both biological parents of a student applicant may be deceased and that the applicant claims to have been raised by an uncle or guardian. The term "uncle" is used interchangeably between individuals who may be paternal or maternal uncles, or even non-relatives who reportedly provide financial assistance to the applicant. Independent interviews with financial sponsors of F1 student applicants are very useful in determining the true relationship with the applicant, and the degree of support that the sponsor will provide for the applicant's tuition in the United States. Sometimes an "uncle" called for an interview cannot name the applicant's immediate family members, or where the applicant attended secondary school.

¶13. (U) Over the past several years, there have been frequent reports of malfeasance and academic transcript fraud within Uganda's largest university, Makerere University. Officials at Makerere have stated that they plan to introduce more secure methods of recording grades and issuing transcripts, but these changes are still pending. Similarly, officials of the Ugandan National Education Board (UNEb), responsible for the administration of Uganda's O and A level secondary school examinations, have also stated that future national examination certificates may contain more advanced security features.

¶14. (U) More recently, Post has seen a significant increase in applicants applying to community colleges in rural or remote U.S. cities. There have not been any confirmed cases of fraud with regard to community colleges, but the vast majority of those applying to these schools were below average applicants. They often spoke very poor English (a consideration in a country where English is an official language), had very poor to weak economic ties to the person sponsoring them, and rarely knew the difference between an Associate's Degree and a Bachelor's Degree.

¶15. (U) There were also a number of students currently enrolled in undergraduate programs at universities in Uganda who then wanted to transfer to Community Colleges to work on Associate's degrees. For several applicants, this was an attractive method to gain entry to the U.S., as many had other family members already studying and/or residing in nearby cities.

Religious Worker Visas

¶16. (U) Applications for R1 religious worker visas are less frequent than B1/B2s, although active cooperation exists between religious organizations in Uganda and the United States. A number of B1/B2 applicants encountered by Post are religious ministers engaging in evangelical tours of the U.S. as permitted under B1/B2 classification, and not taking an appointment with one church.

¶17. (U) Post has noticed an increase in American sponsors retracting sponsorship of religious workers for a number of reasons, but religious workers are under more scrutiny than in previous years.

### K3 Spouse of American Citizen Visas

¶18. (U) Post encounters suspect K3 visa applications that generally fit into two categories. The first is a Ugandan female applicant who met the American petitioner over the Internet. Typically, the Ugandan is unemployed. The couple exchange E-mails for several months then the American travels to Uganda and stays for several weeks. During the visit, the couple marries and the American subsequently files I-130 and I-129F petitions in the United States. The other category often seen is a male spouse of a female refugee who was resettled in the United States. Upon becoming a naturalized American citizen, the female travels to Uganda and weds a refugee living in Uganda to whom she was introduced through a friend or extended family member. In both scenarios, the petitioners and beneficiaries have never met in person until the petitioner arrived in Uganda for the wedding. The marriage certificates in such cases are generally genuine, although in many circumstances the petitions are returned to USCIS for recommended revocation, as it appears the marriage was entered into for the sole purpose of facilitating the

beneficiary's immigration to the United States.

(C) IV FRAUD

¶19. (U) Post assumed processing of immigrant visas for adoption cases in October 2006. All other immigrant visa applications are processed by American Embassy Nairobi. Post assists Nairobi with verifying marriage certificates and other documents, such as birth and death certificates and school records for immigrant visa cases when necessary.

(D) DV FRAUD

¶20. (U) All Diversity Visa cases are adjudicated by U.S. Embassy Nairobi. Most diversity visa inquiries received by Post involve members of the public who have been victims of Internet scams promising individuals U.S. visas in exchange for fees. Post warns the public of these scams when advertising the annual kick-off of the Diversity Visa Lottery. Post issued a press release in response to one diversity visa scam that targeted high level Ugandan officials, who reportedly paid around USD500 to the scam artists. Post also assists Embassy Nairobi in verifying certificates presented in support of diversity visa cases.

(E) ACS & PASSPORT FRAUD

¶21. (U) Post has not encountered any recent ACS or passport fraud, although it occasionally receives passport applications for adults who have never been documented as American citizens and are unable to provide credible evidence of their identity and birth in the U.S. If questions arise regarding the biological relationship between the American citizen and a Consular Report of Birth Abroad applicant, DNA testing is usually required.

(F) ADOPTION FRAUD

¶22. (U) Ugandan law restricts a foreign citizen's ability to adopt a Ugandan child, and the adoption process is complicated. Ugandan law requires that foreign adoptive parents be physically present in Uganda and foster the child for three years before an adoption is executed in Uganda. However, Ugandan High Court judges have exercised discretion granting legal guardianship in lieu of adoption, permitting non-resident prospective adoptive parents to take the child out of Uganda and reside permanently in another country. This has led to an increase in the number of IR 4 cases processed by Post.

¶23. (U) Post has encountered legal guardianship cases where the child did not appear to be an orphan as defined by the INA, but the true circumstances of the child were openly disclosed during the court proceedings and visa application process. Fraud was not a factor in these cases, but the children clearly did not qualify for an IR 4 immigrant visa.

¶24. (U) Recently, Post has also encountered a small number of cases where fraud was a factor. The biological parents were reportedly deceased, but field investigations and/or DNA testing confirmed that one or both parents were still living. In two of the cases, the claimed deceased biological mother had presented herself in court proceedings and at the visa interview as an aunt. These cases generally do not involve traditional orphanages, but rather children connected to prospective adoptive parents through charities and child sponsorship programs. The biological parent(s) often reached out to the charity originally claiming the child was an orphan with the belief that this would make the child eligible for charity support and sponsored education. Subsequently, American financial sponsors would inquire about possible adoption and the biological parent(s) continued with the false information regarding the true history of the child.

¶25. (U) Given the difficulties and false information that Post has encountered with IR 4 visa cases, Post relies increasingly more upon field investigations to verify orphan status. This has unfortunately delayed the processing of IR 4 visa applications, but Post has found that the Ugandan authorities have no oversight mechanism in place or means to verify the orphan status of a child. It has also been widely reported in the media that the judiciary is known as one of the most corrupt institutions in Uganda.

¶26. (U) Very recently, Post has encountered possible cases of child trafficking. One particular case involved an American family who showed the adjudicating officer a list of fees charged by the orphanage to adopt a Ugandan child. While Post is aware of the high costs of adoption abroad, the fees were exorbitant (upwards of \$15,000 directly to the orphanage and not including travel fares.) One fee was for a "donation" to the orphanage, which the Consular Officer felt could be construed as child buying. The case was sent to USCIS Nairobi for adjudication as it was considered no longer "clearly approvable".

¶27. (U) Currently, Post is in the middle of a large scale investigation involving a Ugandan branch of an American adoption organization. During the course of interviews with three separate families, it became clear to the adjudicating officer that the home in Uganda was presenting false documents. A total of six children were being adopted and about 11 death certificates for the biological parents of these children were presented at the time of the interview. Each of the death certificates indicated the exact same occupation for the parents and the exact same manner of death. While this is entirely possible and could be mere coincidence, Post felt obligated to investigate further.

¶28. (U) Post's FSNI found out that the director of the home was actually forging documents to present to local government officials, who then used them to prepare authentic documents that were presented to the Consular Officer during adjudication. When further questioned, the director stated the organization is not yet registered with the Government of Uganda and that the home does not actually have legal guardianship over any of the children living there. He also admitted to presenting false documents to the Consular Section. In-depth field investigations are now required, consuming most of Post's FSNI's time. These cases are still under investigation and will be sent to USCIS Nairobi shortly.

¶29. (U) Post is also preparing a stand-alone fraud cable on this issue to send to CI.

#### (G) USE OF DNA TESTING

¶30. (U) Post frequently advises applicants of the availability of DNA testing to verify claimed relationships in following-to-join asylee (Visas 92) and refugee (Visas 93) cases. Post also sees DNA testing used in support of Consular Report of Birth Abroad applications. All collection of DNA was conducted by a laboratory technician at the office of Post's Panel Physician. As an additional measure, one of Post's local employees is required to observe collection of the DNA and sealing of the specimen envelope before it is forwarded to a U.S. laboratory for testing.

¶31. (U) With the new guidance issued by the Department, Post will be changing its procedure to begin on-site DNA sample collection. Some details on fee and sample collection must still be resolved with the panel physicians' office, so DNA collection is currently on hold until agreement is reached.

#### (H) ASYLUM & OTHER DHS BENEFIT FRAUD

¶32. (U) In adjudicating Visas 92 following-to-join asylee cases, Post has observed a number of asylum claims that lack credibility. Officers sometimes encounter similar claims that appear to have been used previously and recycled by multiple petitioners. Post has encountered a case where the Government of Uganda funded the applicant's travel to the U.S. and facilitated their visa application with a Diplomatic Note, and the applicant successfully claimed asylum. Post also encounters cases whereby the petitioner in the U.S. claimed persecution by the Central Government, yet when the following-to-join family members appear for interviews, it is sometimes discovered that the relative who has been providing for their care is a Central Government employee in good standing. Post also encounters a number of Legal Permanent Residents returning to Uganda, and the information often presented indicates that they gained LPR status via the asylum process.

¶33. (U) Post encounters a significant amount of relationship fraud in processing Visas 92 cases, and utilizes DNA testing, field investigations and interviews when adjudicating the cases. Almost all Ugandan birth certificates submitted in support of Visas 92



cases indicate the births of the following-to-join family members were registered in the weeks just before the petitioner traveled to the U.S. (contradicting the common claim by petitioners that they did not consider asylum until after their arrival in the U.S.). In other cases, the births were recorded after the petitioner had remained in the U.S., and in preparation for an I-730 filing. Many Visas 92 cases involve children from multiple relationships, and polygamy is practiced in accordance with local customs. Many Ugandan families care for nieces and nephews who were never formally adopted, and petitioners often falsely claim these relatives as biological or legally adopted children. Post has started to receive an increasing number of Visas 92 Eritrean cases, and a small number of Rwandan cases. The Rwandan cases have involved fraudulent adoption claims for multiple beneficiaries.

¶34. (U) In possible response to its request for adoption documentation, Post is seeing more and more "adopted" beneficiaries. This has led to an increase in investigations to verify the authenticity of the adoption documents.

¶35. (U) Post also processes Visas 93 following-to-join refugee cases. Historically, these cases involved middle-aged, Somali males with no evidence of identity or the claimed relationship seeking to join wives granted refugee status in the United States. Post's holdings of these types of cases have been reduced significantly. Instead, Post is now encountering increasing numbers of K3, spouse of American citizen cases of Somali males living as refugees in Uganda married to American citizens during short two-week visits.

#### (I) ALIEN SMUGGLING, TRAFFICKING, ORGANIZED CRIME, & TERRORIST TRAVEL

¶36. (SBU) Uganda's location within East Africa and its porous and remote borders can be exploited by Al Qaeda and other terrorist organizations as well as organized crime syndicates. While the section documented no cases of fraud related to organized crime or terrorist travel during the reporting period, Uganda is a transit point for such travel. The Ugandan government regularly detains individuals suspected of involvement with terrorist associations and, during a previous reporting period, deported two South African nationals with reported terrorism links. Two other suspected terrorists were arrested in Germany, and were allegedly planning travel to Uganda.

¶37. (U) Post communication with airlines indicates that the most common trend encountered at Entebbe Airport is imposters who use borrowed or stolen documents to attempt to board flights to Europe. In most cases, the suspected imposters are of Somali origin. In this reporting period, airline officials reported two incidents involving Somalis presenting fraudulent I-551 cards. One involved a female Somali passenger traveling alone, the other case involved two Somali males accompanied by a Legal Permanent Resident of Somali origin who attempted to assist/facilitate the accompanying mala fide passengers through the airport check-in process. Individuals using fraudulent documents obtained in other countries also pose challenges to airlines. Iraqi nationals have been intercepted posing as Turkish tourists, and individuals using photo-substituted South African passports have also been intercepted. Afghan nationals were also intercepted attempting travel on fraudulent Canadian visas. According to contacts working at the Entebbe Airport, corrupt immigration, airline, and document clearing staff have assisted mala fide passengers to board aircraft bound for Europe.

¶38. (U) Recently, three travelers were stopped at Entebbe International Airport for traveling on fake French Passports.

#### (J) DS CRIMINAL FRAUD INVESTIGATIONS

¶39. (U) In cases of criminal fraud, the Regional Security Office (RSO) collects as much evidence as possible and refers the case to the police. In many circumstances, the subjects may be arrested but, if released on bail, the subjects never appear in court. Post has had success with cases where a private firm or Ugandan government entity actively seeks prosecution of the subject; for example, cases where applicants presented counterfeit government identification cards or employment letters.

#### (K) HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS, & CIVIL REGISTRY

¶40. (U) As noted above, the most common type of fraud encountered is use of suspect documents, such as bank statements, letters of employment or support and academic transcripts. A lack of internal controls also makes acquisition of genuine but fraudulently obtained birth and marriage certificates a fairly simple process. A "declarant" for a birth certificate is not required to be a family member or authorized legal representative, and only has to attest to the validity of the information presented when applying for a birth certificate from the Registrar's Office. This makes genuine birth certificates based upon fraudulent information readily available. In turn, the birth certificate may then be used to support a Ugandan passport application.

¶41. (U) Reports of corruption within Uganda's immigration service and a lack of internal controls indicate that Ugandan passports are obtainable for those seeking to change identities or who have no real claim to Ugandan citizenship. In the past, Post encountered about one applicant every three months who has previously applied for a visa in Kampala or another Post under a different identity. These encounters have now decreased, most likely because of the deterrent effect of biometric procedures. In addition, Post also brings cases of Ugandans with multiple identities and passports to the attention of the Director of Uganda's immigration service when encountered. This action serves to facilitate investigation of the subject holding multiple identities, as well as counters malfeasance within the Ugandan immigration service. Passports currently issued by Ugandan immigration authorities are machine-readable and photo-digitized. Previously issued laminated passports are valid until their designated expiration dates.

¶42. (U) Post has seen an increase in Ugandans with more than one valid passport. This issue has been raised with the Director of Uganda's immigration service. It remains to be seen how this will change in the future.

#### (L) COOPERATION WITH HOST GOVERNMENT AUTHORITIES

¶43. (U) Host government, local-level officials, and religious organizations generally cooperate when Post seeks to verify civil documents, but corruption does impact Post's ability to combat fraud. The Director of Immigration has participated in a USG-funded border security program in the U.S., and in meetings with Post officials has expressed a willingness to investigate Ugandan passport fraud and malfeasance. It remains to be seen whether he will be successful at these efforts.

¶44. (U) Recently, Post's FSNI was denied the verification service provided free of charge to foreign missions. A mid-level official within the Registrar's Office demanded a fee for the service. Post was surprised to hear this and pursued the matter only to find that this officer was skirting established protocol. A subsequent letter from the Registrar-General confirmed that no fee was to be charged to foreign missions for authenticating documentation.

#### (M) AREAS OF PARTICULAR CONCERN

¶45. (U) In MONTH of this year, a Consular associate was fired for malfeasance. She admitted to accepting money from outside entities in exchange for FILL IN. The entire staff was warned about this practice and it seemed as though the issue was resolved. In September, the Acting Consular Chief received a call from an American citizen in the U.S., stating that she was aware of a fraud scheme and wanted to notify Post about it.

¶46. (U) The Acting Consular Chief went to the RSO with the information obtained and the RSO began an investigation. It turned out that the fired Consular Section employee had opened a visa "coaching" business and was supplying paying customers with fraudulent documentation and false narratives to present at the time of their interviews. She was also claiming that she still worked in the Consular Section.

¶47. (U) RSO in conjunction with local police raided the offices and private residences of the suspect and her chief accomplice. Post is currently knee-deep in confiscated evidence and has a TDY DS

investigator arriving to assist the RSO in sorting through and documenting the evidence. The primary suspect (the fired Consular employee) and her chief accomplice are currently in custody and RSO is working very closely with Ugandan police and judicial officials to press maximum charges against them.

¶48. (U) There is concern that at least one current employee may be involved in this scam as well. RSO has investigated two employees. One was cleared of any suspicion, but the other has had significant contact with the primary suspect. RSO has been unable to find any hard evidence against this employee but she is aware she is under probation. She was temporarily suspended from work pending RSO approval to allow her return to the Section.

¶49. (U) Currently, RSO is continuing its investigation and Post has

#### (N) STAFFING AND TRAINING

¶50. (U) Post's Fraud Prevention Unit consists of a Consular Officer assigned the role of Fraud Prevention Manager. As a two-officer Post, fraud prevention duties are in addition to other full-time duties which include visa adjudications, ACS services and all other assigned tasks. Previously, Post's Regional Security Office and the Consular Section shared a locally employed fraud investigator, but this position was vacant until August of this year. Post has hired a full-time locally-employed fraud investigator who has assisted the section immensely and completed many successful investigations in his short time here.

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